UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,362	01/25/2002	Antonius Hendricus Maria Holtslag	NL 010165	8037

24737 7590 01/14/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER	
CUNNINGHAM, GREGORY F	
ART UNIT	PAPER NUMBER
2676	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/056,362	HOLTSLAG ET AL.	
	Examiner	Art Unit	
	Greg Cunningham	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 January 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications of amendment received 09/29/2004.

2. The disposition of the claims is as follows: claims 1-16 are pending in the application. Claims 1, 11-13, 15 and 16 are independent claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for using absolute values to detect moving information as claimed in element (iii) of claim 15 (see Applicant's specification p. 3, lns. 19-21 and p. 11, lns. 7-19), does not reasonably provide enablement for using absolute values to detect elements (i) or (ii) of claim 1. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1, 9-12, 15 and 16 are rejected under 35 U.S.C. 102(a) as being disclosed by Rosser, (US Patent Number 6,446,261 B1).

A. Rosser discloses claim 1, "A system comprising:

a display information-generating device for generating display information [col. 5, lns. 7-20], a display apparatus having a display screen for displaying the display information [col. 5, lns. 13-20], detection means for detecting whether at least one of the following criteria is fulfilled for display information being displayed in a portion of the display screens [col. 5, lns. 7-13 and 44-48; wherein viewer usage monitor and triggers both inherently correspond to detection means];

(i) an application is one of a group of applications indicating that non-synthetic information is displayed, in which the application is not a picture viewer [col. 5, lns. 21-24, wherein 'picture in a picture' corresponds to "non-synthetic information" and "display information being displayed in a portion of the display screens"],

(ii) an extension of a file is one of a group of extensions indicating that non-synthetic information is displayed [not disclosed by Rosser, but then this is not required since "whether at least one of the following criteria is fulfilled" is the requirement. (Emphases added) However, just to note, Berger et al., US 6,414,693 B1 does disclose element (ii)], and enhancement means for enhancing the display information being displayed in said portion of the display screen if at least one of the criteria (i) and (ii) is true [col. 5, lns. 24-30, wherein 'magnifyable' corresponds to "enhancement means" as detailed on p. 3 of specification as "drawing attention to the area"]" as [detailed].

B. Per independent claims 11, 15 and 16, these are directed to a method, system and method, respectively, for the system of independent claim 1, and therefore are rejected to independent claim 1. Wherein "moving information is displayed " is not required to be disclosed since only "at least one of the following criteria is fulfilled" is the requirement.

C. Rosser discloses claim 9, "The system as claimed in claim 1, wherein the detection means are adapted to supply a control signal to automatically activate the enhancing by the enhancement means [col. 5, lns. 13-25, wherein the condition of (i) is already asserted since the data is video] if the detection means detects in the part of the display information that at least one of the criteria (i) and (ii) is true" supra and as [detailed].

D. Rosser discloses claim 10, "The system as claimed in claim 9, wherein the system further comprises input means for receiving user input to supply user information indicating whether the part of the display information should be enhanced or not [col. 5, lns. 25-30 at '(for people who wanted to examine some detail of the video) and even rotatable (for people who may want to lie down and have the video on its side as well)'], and a control means receiving the control signal from the detection means and the user information to supply an adapted control signal to activate or deactivate the enhancing in correspondence with the user input, independent of the automatic detection by the detection means [col. 5, lns 25-30 at 'The warping necessary for the downstream, slave LVIS system, could be used to make one or more of these windows re-sizable, magnifyable'] supra for claim 10 and as [detailed].

E. Rosser discloses claim 12, "A computer supplying display information for use in a display apparatus with a display screen, the computer comprising:

detection means for detecting whether at least one of the following criteria is fulfilled for display information being displayed in a portion of the display screen [col. 5, lns. 7-13 and 44-48; wherein viewer usage monitor and triggers both inherently correspond to detection means]:

(i) an application is one of a group of applications indicating that non-synthetic information is displayed [col. 5, lns. 7-20], in which the application is not a picture viewer [col. 5, lns. 21-24, wherein 'picture in a picture' corresponds to "non-synthetic information" and "display information being displayed in a portion of the display screens"],

(ii) an extension of a file is one of a group of extensions indicating that non-synthetic information is displayed [not disclosed by Rosser, but then this is not required since "whether at least one of the following criteria is fulfilled" is the requirement. (Emphases added) However, just to note, Berger et al., US 6,414,693 B1 does disclose element (ii)], and

means for only providing coordinates for use in the display apparatus [inherent in Rosse for picture in a picture] if at least one of the criteria (i) [col. 5, lns. 13-25, wherein the condition of (i) is already asserted since the data is video] and (ii) is true, the coordinates defining said portion of the display screen" as [detailed].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 2-4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosse as applied to claim 1 above, and further in view of Berger et al., (US 6,414,693 B1), hereinafter Berger.

A. Rosse discloses claim 2, "The system as claimed in claim 1, wherein the display information-generating device comprises a computer, the detection means being part of the computer and comprising a suitably programmed microprocessor for detecting whether an application is started on the computer, and for determining whether the application started is one of the group of applications, and/or whether the extension of the file associated with the application is one of the group of extensions, and/or whether moving information is displayed" Supra for claim 1. However, Rosse does not appear to disclose "wherein the display information-generating device comprises a computer [Berger, col. 3, lns. 8-30; col. 6, ln. 67 – col. 7, ln. 7], the detection means being part of the computer and comprising a suitably programmed microprocessor for detecting whether an application is started on the computer [Berger, col. 6, lns. 48-66, also it is inherent of computers to have programmed microprocessor and task managers indicative of application start and duration times], and for determining whether the application started is one of the group of applications [Berger, JPEG (.jpeg)], and/or whether the extension of the file associated with the application is one of the group of extensions [not required to be disclosed, since the conjunction is "and/or"], and/or whether moving information is displayed [not required to be disclosed, since the conjunction is "and/or"]", but Berger does as [detailed].

(Examiner's note: perhaps the Applicant means "both and/or".)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the picture in a picture disclosed by Rosser in combination with the computer disclosed by Berger, and motivated to combine the teachings because it would provide advanced file serving capabilities as revealed by Berger in col. 3, lines 31-35.

B. Rosse and Berger discloses claim 3, "The system as claimed in claim 2, wherein the part of the display information is an active window [picture in a picture], and the detection means [col. 5, lns. 7-13 and 44-48; wherein viewer usage monitor and triggers both inherently correspond to detection means] are suitably programmed to detect whether a window is opened to determine the application associated with the opened window [Rosser, col. 5, lns. 13-25] and/or the file extension of the file being displayed in the window from information linked to the window [not required to be disclosed, since the conjunction is "and/or"]" as [detailed]. (Examiner's note: perhaps the Applicant means "both and/or".)

C. Rosse and Berger discloses claim 4, "The system as claimed in claim 1, wherein the detection means comprise;

a memory for storing the part or a portion of the part of the display information as first data at a first instant, and means for comparing the first data with second data corresponding to the part or a portion of the part of the display information at a second, later, instant, to indicate whether a difference between the stored display information and the corresponding display information at the second instant exceeds a limit value [Rosser, col. 5, lns. 31-48].

D. Rosse and Berger discloses claim 7, "The system as claimed in claim 4, wherein the detection means comprise a suitably programmed microprocessor" as detailed supra for claim 4

and furthermore by Berger in col. 3, lns. 8-30. Wherein client's microcomputer inherently use "programmed microprocessor" and task managers for application detection and management.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosse as applied to claim 1 above, further in view of Berger et al., (US 6,414,693 B1), hereinafter Berger, and further in view of Official Notice.

A. Rosse and Berger discloses claim 6, "The system as claimed in claim 4, wherein the memory is the video memory of the video adapter of a computer". Although they do not appear to explicitly disclose, "wherein the memory is the video memory of the video adapter of a computer", Official notice is taken that the art is replete with "wherein the memory is the video memory of the video adapter of a computer".

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the picture in a picture disclosed by Rosser in combination with the computer disclosed by Berger, and further coupled with video memory of the video adapter disclosed by Official Notice and motivated to combine the teachings because it would provide advanced file serving capabilities as revealed by Berger in col. 3, lines 31-35.

10. Claims 8, 13 and 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosse as applied to claim 1 above, and further in view of Sano et al., (US Patent Number 5,258,828), hereinafter Sano.

A. Rosse discloses claim 8, "The system as claimed in claim 1, wherein the information-generating device comprises means for supplying coordinates defining the area to the display apparatus [inherent in Rosse for picture in a picture], the display apparatus comprises the detection means which comprise:

an integrator for determining an intensity value of a line or a sum of lines in the area,
a sample-and-hold means for storing the determined intensity value at a first instant,
and a comparator for comparing the stored intensity value with a further intensity value of a line or a sum of lines in the area at a later instant to supply a control signal, indicating whether a difference between the stored intensity value and the further intensity value exceeds a limit value."

However, Rosse does not appear to disclose, "wherein the display apparatus comprises the detection means which comprise:
an integrator for determining an intensity value of a line or a sum of lines in the area [Sano – col. 16, lns. 39-52, wherein 'voltage of the brightness control terminal 61 (or d.c. voltage corresponding to this voltage) is added' corresponds to "integrator for determining an intensity value of a line or a sum of lines in the area"],
a sample-and-hold means for storing the determined intensity value at a first instant [Sano – col. 16, lns. 39-52, wherein 'via the sample and hold circuits 60R, 60G and 60B' corresponds to "sample-and-hold means"],
and a comparator for comparing the stored intensity value with a further intensity value of a line or a sum of lines in the area at a later instant to supply a control signal [Sano – col. 16, lns. 39-52, at: Alternatively, the comparator may be connected with only one primary color signal circuit to apply the brightness control signal to the input terminal of the comparator. In the latter case, the output of the sample and hold circuit at the post stage thereof is commonly used in each primary color circuit and is added to each primary color signal], indicating whether a difference

between the stored intensity value and the further intensity value exceeds a limit value [Sano - col. 18, lns. 56-61]", but Sano does as [detailed].

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the picture in a picture disclosed by Rosser in combination with the adding, sample-and-hold, comparator and peak value disclosed by Sano, and motivated to combine the teachings because it would 'achieve an automatic white balance adjustment for display' as disclosed by Sano in col. 3, lns. 26-27.

B. Rosse and Sano discloses claim 13, "A display apparatus for displaying display information on a display screen, the display apparatus comprising detection means for deciding whether only a part of the display information corresponding to an area on the display screen has to be enhanced based on a difference value computed between data words corresponding to the area of the display screen to be enhanced at a first instant in time and at a second instant in time [disclosed in claim 1 supra, and inherent wherein Rosser's "smart" TV, set-top device, writable digital video disks and high capacity, random access memory use digital technology with data words, wherein picture in a picture inherently defines picture window address coordinates via data words], the detection means comprising:

an integrator for determining an intensity value of a line or a sum of lines in the area,

sample-and-hold means for storing the determined intensity value at a first instant,

and a comparator for comparing the stored intensity value with a further intensity value of a line or a sum of lines in the area at a later instant to supply a control signal, indicating whether the difference value between the stored intensity value and the further intensity value exceeds a

limit value so that only said part of the display information is enhanced [disclosed supra for claim 8]"

C. Rosse and Sano discloses claim 14, "A display apparatus as claimed in claim 13, wherein the display apparatus comprises means for receiving information defining the position of the area" supra for claim 13.

Response to Arguments

11. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Responses

13. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

G. F. Cunningham, Examiner

gfc

January 10, 2005

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600